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In re Application of:
Takaya Sato et al.
Application No. 10/088,642
Filed: March 20, 2002
Attorney Docket No. 08292.045
Title: ELECTRODE STRUCTURE, AND
ROLLING MACHINE FOR WORKING
ELECTRODE STRUCTURE

OFFICE OF PETITIONS

DECISION ON PETITION

This is a decision on the petitions filed February 10, 2004, pursuant to 37 C.F.R. §§1.137(a) and (b) to revive the above-identified application, which are properly treated as a petition under 37 C.F.R. §1.181(a) to withdraw the holding of abandonment¹.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR §1.113 in a timely manner to the final Office action mailed June 26, 2003, which set a shortened statutory period for reply of three (3) months. On November 5, 2003, a two-month extension of time was received, along with an after-final amendment. On November 19, 2003, an advisory action was mailed. No further extensions of time under the provisions of 37 CFR §1.136(a) were obtained. Accordingly, the above-identified application became abandoned on November 27, 2003.

Considering the facts and circumstances of the delay at issue, as set forth on petition, it is concluded that petitioner has met his burden of establishing that the change in Power of Attorney and Correspondence Address was not effectuated and the mailings were not mailed to the proper address.

Accordingly, the petition under 37 C.F.R. §1.181(a) is **GRANTED**. The holding of abandonment is **WITHDRAWN**.

The application file is being forwarded to Technology Center 3700 for further processing of the Request for Continued Examination (RCE) filed concurrently with this petition. The fee associated with the filing of an RCE has been charged to Petitioner's Deposit Account.

¹ The petition fees have not been charged to petitioner's Deposit Account.

Telephone inquiries concerning *this decision* should be directed to the undersigned at (703) 305-0011.



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